



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Andreas Stahl, David J. Hirsch, Harvey F. Lodish, Ruth E. Gimeno and  
Louis A. Tartaglia

Serial No.: 09/405,504

Group Art Unit: 1647

Filed: September 23, 1999

Examiner:

For: Fatty Acid Transport Proteins

#10  
#9  
2/1/01  
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FEB 20 2001

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|   |                      |
|---|----------------------|
| CERTIFICATE OF MAILING  |                      |
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 |                      |
| on <u>2-5-01</u>  | <u>Jane Goldberg</u> |
| Date  | Signature            |
| Jane Goldberg   |                      |
| Typed or printed name of person signing certificate   |                      |

TRANSMITTAL OF SUBSTITUTE SEQUENCE LISTING AND  
PRELIMINARY AMENDMENT

Box Sequence

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

This amendment is submitted in response to the communication from the Examiner mailed from the Patent Office on December 5, 2000.

Applicant's Attorney requests a one-month extension of time to respond to the Notice. A Petition for Extension of Time and the appropriate fees are being filed concurrently.

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Transmitted herewith is a copy of the Substitute "Sequence Listing" in computer readable form as required by 37 C.F.R. §§ 1.825(b) and 1.821(e).

As required by 37 C.F.R. § 1.825(b), Applicant's Attorney hereby states that the contents of the Substitute "Sequence Listing" in the computer readable form submitted herewith is the same and, as required by 37 C.F.R. § 1.825(a), also states that the submission includes no new matter.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By

  
Linda M. Chinn

Registration No. 31,240

Telephone (781) 861-6240

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Lexington, Massachusetts 02421-4799

Date:

*February 5, 2001*



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
|-----------------|-------------|----------------------|---------------------|
|-----------------|-------------|----------------------|---------------------|

39/405,504 09/23/99 STAHL

A WHI9721P3ND2

021005 HN12/1205  
HAMILTON BROOK SMITH AND REYNOLDS, P.C.  
TWO MILITIA DR  
LEXINGTON MA 02421-4799

| EXAMINER |
|----------|
|----------|

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

1647

8

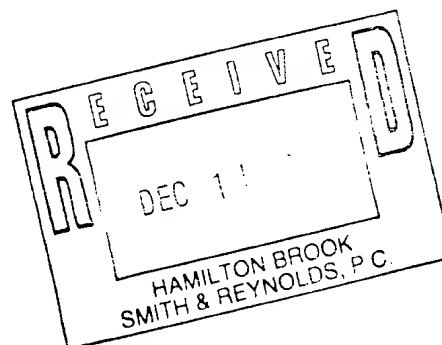
DATE MAILED:

12/05/00

DOCKETED  
RAM

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks





UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: Commissioner of Patents and Trademarks  
Washington, D.C. 20231

|               |              |                       |                     |
|---------------|--------------|-----------------------|---------------------|
| SERIAL NUMBER | FILING DATE  | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO. |
| 09/405,504    | 23 Sept 1999 | Stahl, A.             | WHI9721P3MC2        |

|          |
|----------|
| EXAMINER |
|----------|

|          |              |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
| 1647     | 8            |

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). A computer readable form (CRF) of the sequence listing was submitted. However, the CRF could not be processed by the Scientific and Technical Information Center (STIC) for the reasons set forth on the attached CRF Diskette Problem Report.

Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 CFR 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached CRF Diskette Problem Report with the reply.

**Advisory information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sandra Wegert whose telephone number is (703) 308-9346. The examiner can normally be reached Monday - Friday from 8:30 AM to 5:00 PM (Eastern time).

If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Gary Kunz, can be reached at (703) 308-4623.

Official papers filed by fax should be directed to (703) 308-4242. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0196.

SLW  
Dec 1, 2000

*Elizabeth C. Hummer*

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1646

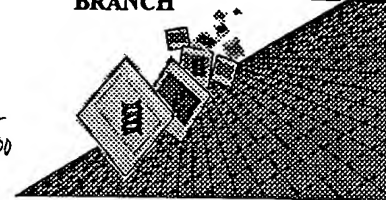
# CRF Diskette Problem Report



BIOTECHNOLOGY  
SYSTEMS  
BRANCH



#7  
CRF  
12/1/00



The Scientific and Technical Information Center (STIC) experienced a problem when processing the following CRF diskette:

Application Serial Number:

09/405,504

Filing Date:

9/23/99

Classification:

435

Date Processed by STIC:

4/26/2000

Point-of-Contact/Telephone No.: Mark Spencer 703 - 308 - 4212

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MAY 09 2000

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## Nature of Problem:

The diskette was:

☐ Damaged

☒ Unreadable (*see attached*)

☐ Blank (no files present on diskette)

☐ Contained an empty file (filename present, but no bytes in file)

☐ A computer virus was detected on the diskette. The STIC will not process the diskette through the Data Capture System.

Name of virus: \_\_\_\_\_

☐ The Sequence Listing was not saved in ASCII (DOS) text.

☐ The diskette contained an error that disrupted normal processing:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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09/405,504

A:\>DIR

Volume in drive A has no label  
Directory of A:\

|          |           |         |                      |              |
|----------|-----------|---------|----------------------|--------------|
| 87767W~1 | TXT       | 389,373 | 03-14-00 11:46a      | 87767W~1.TXT |
|          | 1 file(s) |         | 389,373 bytes        |              |
|          | 0 dir(s)  |         | 1,068,032 bytes free |              |

A:\>TYPE 87767W~1.TXT|MORE

Read fault error reading drive A  
Abort, Retry, Fail?F  
Fail on INT 24 - 87767W~1.TXT

*on screen message when STK PC  
tried to read submitted.*

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MAY 09 2000  
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Application No.: 09/405,504

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☒ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: \_\_\_\_\_

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☐ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

For PatentIn software help, call (703) 308-6856

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE**